

STATE BOARD OF MIDWIFERY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 5/12/2015

BOARD MEMBERS PRESENT: Barbara N Rawlings - Chair
Valerie Hall
Clarence William Blea M.D.
Kyndal May Verveckken

BOARD MEMBERS ABSENT: Paula Wiens

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Eric Nelson, Board Prosecutor
Cherie Simpson, Administrative Assistant

OTHERS PRESENT: Tony Smith

The meeting was called to order at 9:06 AM MDT by Barbara N Rawlings.

AMEND AGENDA

Ms. Verveckken made a motion to amend the agenda to add correspondence that was received overnight from Kellie Northam. The reason for the amendment was that the information was received too late to be posted. It was seconded by Ms. Valerie Hall. Motion carried.

APPROVAL OF MINUTES

Ms. Verveckken made a motion to approve the minutes of 12/15/2014. It was seconded by Ms. Valerie Hall. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the changes to Rule 560 went into effect on 4/11/2015. Ms. Cory said the two Bureau bills considered by the Legislature passed. HB116 clarified that Boards served by the Bureau of Occupational Licenses can recoup attorney fees when a licensee is found to be

in violation of the Board's laws and rules in disciplinary cases. HB117 allows licensees to reinstate their licenses without paying for the years they were not licensed. It also increased the reinstatement fee from \$25 to \$35.

FINANCIAL REPORT

Ms. Dawn Hall gave the financial report, which indicated that the Board had a cash balance of (\$55,610) as of April 30, 2015.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number MID-2015-1. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Verveckken made a motion to approve the Bureau's recommendation and authorize closure in case I-MID-2014-2. It was seconded by Ms. Valerie Hall. Motion carried.

Ms. Valerie Hall made a motion to approve the Bureau's recommendation and authorize closure in case I-MID-2015-1. It was seconded by Ms. Verveckken. Motion carried

Based on some of the cases the Board closed and the fiscal impact on the Board of dealing with complaints that have no merit, the Board discussed ways to improve the relationship between physicians and midwives in one area of the state where these complaints have been concentrated. Dr. Blea said that politics among the health care providers in that area of the state are complicated. Dr. Blea said that the situation is difficult because it deals with personalities and he was not sure there would be a remedy. Ms. Rawlings said the Idaho Midwifery Council has expressed interest in helping with communication between midwives and other health care providers in that area. The Council is open to thoughts and suggestions on how to get providers who are reluctant to come to meetings to improve communication. Dr. Blea said he has talked about the value of the communication in the Treasure Valley amongst providers that has helped create a collegial atmosphere between midwives and other health care providers. Ms. Rawlings said she would contact the Idaho Midwifery Council and Dr. Blea said he would speak with the Idaho Medical Association about discussing the matter with some of the individuals involved. There was also discussion about the Chair contacting legislators in the area for assistance. Ms. Verveckken made

a motion to direct Ms. Rawlings and Dr. Blea to work on outreach. It was seconded by Ms. Valerie Hall. Motion carried.

Dr. Blea discussed correspondence he sent the Board regarding an increase in costs for newborn screening tests. No action was taken.

Dr. Blea left the meeting.

Ms. Peel stated that two complaints have been received from the same complainants against the same respondent in the previous cases that do not constitute violations of the Board's laws or rules and the complainants will be notified that no investigation will be conducted.

The Board reviewed a request in case MID-2012-3 to be removed from probation. The Board took no action.

EXECUTIVE SESSION

Ms. Verveckken made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(f) to consider legal matters under the Idaho Public Records Law. The purpose of the Executive Session was to consider legal issues related to MID-2012-2. It was seconded by Ms. Valerie Hall. The vote was: Ms. Verveckken, aye; Ms. Valerie Hall, aye; and Ms. Rawlings, aye. Motion carried.

Ms. Valerie Hall made a motion to come out of executive session. It was seconded by Ms. Verveckken. The vote was: Ms. Verveckken, aye; Ms. Valerie Hall, aye; and Ms. Rawlings, aye. Motion carried. Motion carried.

Ms. Verveckken made a motion to have Mr. Ellsworth draft a letter to Mr. Baker declining to refund the attorney fees in case MID-2012-2. It was seconded by Ms. Valerie Hall. Motion carried.

NEXT MEETING was scheduled for May 12, 2015 due to an application being inadvertently left off of today's agenda.

IDAHO CODE 67-2614

Ms. Cory stated that the Board's current reinstatement fee is listed as \$50. She asked if the Board wanted to change it to \$35 to correspond with the changes to Idaho Code 67-2614 made in the recent Legislative Session. Boards do have the option to charge something different. The Board members stated that, given the Board's finances, they prefer to stay with the \$50 reinstatement fee at this time.

CORRESPONDENCE

The Board reviewed correspondence requesting approval of an IV course submitted by Vicki Penwell. Ms. Valerie Hall made a motion to approve the course. It was seconded by Ms. Verveckken. Motion carried.

The Board reviewed correspondence from Kellie Northam regarding whether or not the Board can issue a temporary permit. Mr. Ellsworth said that the Board's laws and rules do not allow temporary permits to be issued. Ms. Verveckken made a motion to draft a letter to Ms. Northam stating that the Board cannot grant a temporary permit. It was seconded by Ms. Valerie Hall. Motion carried.

ADJOURNMENT

Ms. Verveckken made a motion to adjourn the meeting at 12:02 PM. It was seconded by Ms. Valerie Hall. Motion carried.

Barbara N Rawlings, Chair

Paula Wiens

Clarence William Blea M.D.

Kyndal May Verveckken

Valerie Hall

Tana Cory, Bureau Chief